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April 11, 2016

VIA ELECTRONIC CASE FILING

Hon. Kevin Nathaniel Fox, U.S.M.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: James Jiggetts v. United Parcel Service, Inc., et al.
Civil Action No. 14-cv-8291 (AJN) (KNF)

Dear Judge Fox:

This firm represents defendants United Parcel Service, Inc. (“UPS”) and Messrs. Doug Trandiak and John Mannion (collectively, “UPS Defendants”) in the above-referenced matter. We are writing to request a brief, twelve (12) day extension of time – from April 13, 2016 to April 25, 2016 – for the UPS Defendants to answer or otherwise move in response to the Second Amended Complaint. This is the UPS Defendants’ first request for an extension of time to respond to the Second Amended Complaint. Counsel for Ms. Mohanie Sukhu, an individual co-defendant, consents to this request, though Mr. Jiggetts – who is proceeding *pro se* – does not consent. By Court Order dated April 11, 2015, this case has been assigned to Your Honor for general pretrial purposes, including scheduling.

The UPS Defendants previously moved, *inter alia*, with respect to Plaintiff’s failure to file a complaint that comported with Rules 8 and 10 of the Federal Rules of Civil Procedure. In his opposition to that motion, Plaintiff filed a purported Second Amended Complaint (Docket No. 27). On March 23, 2016, United States District Court Judge Alison J. Nathan ruled that the Second Amended Complaint shall be Plaintiff’s operative proceeding, and directed the UPS Defendants to either file a new motion to dismiss, indicate that they are relying on their existing motion to dismiss, or otherwise respond to the Second Amended Complaint by April 13, 2016.

Separately, by Order dated April 4, 2016, Judge Nathan granted individual co-defendant Ms. Sukhu’s request to defend this matter on the merits, and ordered Ms. Sukhu to answer or otherwise move in response to the Second Amended Complaint by April 25, 2015.

The UPS Defendants’ extension request will allow the defendants to file pleadings responsive to the Second Amended Complaint on the same day, as opposed to in a patchwork, piecemeal manner. This additional time also is essential in order for the UPS Defendants to conduct the necessary legal research and to prepare an adequate response to the amended



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allegations contained in the Second Amended Complaint. In sum, we believe this will greatly assist the Court in considering this matter going forward.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Basil C. Sitaras

cc: James Jiggetts (via first-class mail and e-mail)
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